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FAX COVER LETTER

July 20, 2005

TO: Examiner Irshadullah
COMPANY: U.S. Patent and Trademark Office – Art Unit 3623
PHONE: 703.308.6683
FAX: 571.273.8300

FROM: Craig J. Lervick
DIRECT DIAL: (612) 607-7387
EMAIL: CLervick@oppenheimer.com
RE: U.S. Patent Application No. 09/444,739
Attorney Docket No.: 60021-335501

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Janet Byrne

7-20-05
Date

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PTO/SB/21 (03-03)

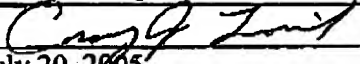
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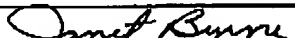
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application Number	09/444,739
		Filing date	November 22, 1999
		First Named Inventor	Michael G. Mikurak
		Art Unit	3623
		Examiner Name	M. Irshadullah
Total Number of Pages In This Submission	6	Attorney Docket Number	60021-335501

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 <input type="checkbox"/> Copy of the PTO Form 1533 (Rev. 9/97), Notice to File Missing Parts of Application Filing Date Granted <input type="checkbox"/> Executed Declaration and Power of Attorney Document	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to a Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal C (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) please identify below: Return Postcard
Remarks:		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED	
Name (Print/Type)	Craig J. Lervick
Signature	
Date	July 20, 2005

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313 on this date: 7/20/05	
Typed or printed	Janet Byrne
Signature	
Date:	July 20, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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OPPENHEIMER: 2349399 v01 07/20/2005

PAGE 317 * RCVD AT 7/20/2005 3:08:53 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-6/31 * DNIS:2738300 * CSID:612 607 7100 * DURATION (mm-ss):01-56

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Michael G. Mikurak

Serial No: 09/444,739

Filed: 11-22-1999

Title: System method and article of
manufacture for technology sharing
during demand and supply planning
in a network-based supply chain
environment

Group Art Unit: 3623

Examiner: Irshadullah, M.

07/21/2005 TL0111 00000066 501901 09444739

01 FC:1806 180.00 DA

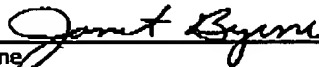
Docket No: 060021-335501

Mail Stop Amendment
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Alexandria, VA 22313-1450

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Janet Byrne

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. § 1.56, § 1.97 and § 1.98, Applicant brings the references listed on the attached Form PTO-1449 to the examiner's attention. 37 C.F.R. § 1.56. These references may be material to examination of the above-identified application. Please do not construe the filing of this information disclosure statement as a representation that applicant has made a search (37 C.F.R. § 1.97(g)), or as an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists.

This Information Disclosure Statement is being submitted:

- ☐ 1. Within three months of the filing date of a national application other than a continued prosecution application under 37 CFR 1.53(d), or within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing date of a first Office action on the merits; or before the mailing of a first Office action after the filing of a request for continued examination under § 1.114, and therefore, Applicant believes no fee is required;
- ☒ 2. After the period specified in paragraph (1) hereinabove of this section, but is being filed before the mailing date of either a final action under 37 CFR 1.113, or a notice of

allowance under 37 CFR 1.311, or an action that otherwise closes prosecution in the application, and is accompanied by one of the following:

- ☐ (a) A statement that either:
- (i) Each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement;

OR

- (ii) No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement;

OR

- ☒ (b) The fee of \$180 for filing of an Information Disclosure Statement as set forth in 37 C.F.R. 1.17(p).

- ☐ 3. After the period specified in paragraph (2) of this section, but is filed on or before payment of the issue fee and is accompanied by both:

- ☐ (a) A statement that either:
- (i) Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement;

OR

- (ii) No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement;


AND

- (b) The fee of \$180.00 for filing of an Information Disclosure Statement as set forth in 37 CFR 1.17(p).

Applicant would appreciate the Examiner initialing and signing a copy of Form PTO-1449, transmitted herewith, indicating that the information has been considered and made of record herein.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 50-1901 referencing order number 060021-335501.

Respectfully submitted,

By 
Craig J. Lervick, Reg. No. 35,244
Customer No. 29,838

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Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Complete if Known		
				Application Number	09/444739	
				Filing or 371(c) Date	11-22-1999	
				First Named Inventor	Michael G. Mikurak	
				Art Unit	3623	
				Examiner Name	Irshadullah, M	
Sheet	1	of	1	Attorney Docket Number		60021-335501

U.S. PATENT DOCUMENTS				
Examiner Initials*	Cite No. ¹	Document Number Number -Kind Code ² (if known)	Issue Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		US-6,006,251	12-21-1999	Junichi Toyouchi
		US-6,151,643	11-21-2000	William Cheng
		US-5,835,911	11-10-1998	Toru Nakagawa
		US-6,516,360	02-04-2003	Leon L. Lumelsky
		US-5,493,689	02-20-1996	Waclawsky et al.

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ² -Number ³ -Kind Code ⁴ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	T ⁵

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
Examiner Signature			Date Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04.

³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.